IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1497 OF 2006

Bhargav Bholabhai Patel .. Applicant.
Vs.
Union of India & Others .. Respondents.

Mr.Uday Warunjikar i/b Mr.Yogesh Rohira for the applicant.
Mr.P.A.Pol A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 19TH JUNE, 2006

P.C.:

. Heard learned counsel for the parties.

2. The applicant in this application has made the following prayer:

> "(a) The Bail Order dated 28/04/2005 in Case No.38/RA/2005 (at Exhibit "C") of the Ld. A.C.M.M., 3rd Court, Esplanade, Mumbai be modified by setting aside the condition restricting foreign travel without prior permission of the Court."

2. Mr.Warunjikar, learned counsel for the applicant states that the case of the applicant is squarely covered by the judgment of this Court in the case of **Subhash Choudhary Vs. Deepak Jyala 2005 (179) E.L.T. 532 (Bom.)**. I fail to understand as to why the applicant has directly approached this Court seeking such order when he could have approached the learned Magistrate for the similar relief, relying

upon the aforesaid judgment. I do not wish to encourage the litigants to approach this Court for such directions. The application is, accordingly, disposed of with liberty to the applicant to approach the learned Magistrate for the relief prayed for in this application. If such application is filed the learned Magistrate to pass appropriate orders thereon as expeditiously as possible and preferrably within a period of six weeks from the date of filing of the application in accordance with law. The application is disposed of.

(D.B.Bhosale, J.)